

Defendants.

Case No. 19-CV-06137-BP

COMES NOW, Defendant St. Joseph Public Library, (hereinafter “Defendant Library”), by and through its attorneys, and respectfully requests an extension of the court-imposed deadline to take the deposition of Plaintiff. In support of this motion Defendant states as follows:

1. Pursuant to the Scheduling and Trial Order (ECF No. 32) entered herein, the present deadline for the parties to complete discovery is July 1, 2020.
2. The parties have exchanged written discovery. Defendant Library requested to take the deposition of Plaintiff, who resides in North Carolina.¹ Plaintiff indicates she intends to seek a protective order limiting the ability of Defendants to inquiry into certain topics before she will agree to make herself available for deposition. Defendant Liberty agreed to allow Plaintiff the opportunity to seek a protective order prior to commencing her deposition. As of the filing of this motion, Plaintiff has not yet filed her motion for protective order, but, based upon communications with Plaintiff today, Plaintiff has indicated she intends to do so in the near future.
3. For the reasons stated above, Defendant Library respectfully requests an extension

¹ The delay in scheduling plaintiff's deposition was also due, in part, to travel restrictions imposed by the COVID-19 pandemic and subsequent shelter-in place orders.

of thirty (30) days from the date the Court rules on Plaintiff's motion for protective order to conduct Plaintiff's deposition.

4. This extension should not materially interfere with any of the other deadlines in this case. However, if the parties are unable to complete Plaintiff's deposition and obtain the transcript sufficiently in advance of the September 1, 2020 dispositive motion deadline, a brief extension may subsequently be needed to that deadline as well.

5. No prior extensions to this deadline have been requested.

6. Defendant Library is constrained to make this request out of necessity and not for the purpose of causing any unnecessary delay.

7. Defendant Library's counsel has contacted counsel for Defendant City of St. Joseph regarding this proposed extension and Defendant City of St. Joseph has no objection. Defendant Library contacted Plaintiff by email to determine Plaintiff's position on the requested extension of time. Plaintiff has not yet responded regarding the extension and therefore Defendant does not know whether Plaintiff have any objection to this requested extension.

WHEREFORE, Defendant St. Joseph Public Library moves the Court to enter its Order granting an extension of the deadline to depose Plaintiff until thirty (30) days after the Court rules on Plaintiff's motion for protective order.

Respectfully submitted,

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By: /s/ Gregory P. Goheen

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CERTIFICATE OF SERVICE

I hereby certify that on the 1st day of July, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which sent notification of such filing to the following:

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/s/ Gregory P. Goheen_____